

BILZIN SUMBERG BAENA PRICE & AXELROD LLP

Robert W. Turken (*pro hac vice*)

Scott N. Wagner (*pro hac vice*)

Lori P. Lustrin (*pro hac vice*)

Shalia M. Sakona (*pro hac vice*)

Ilana Drescher (*pro hac vice*)

1450 Brickell Avenue

Suite 2300

Miami, FL 33131-3456

Telephone: (305) 374-7580

Email: rturken@bilzin.com

Email: swagner@bilzin.com

Email: llustrin@bilzin.com

Email: ssakona@bilzin.com

Email: idrescher@bilzin.com

Attorneys for Benchmark

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re Capacitors Antitrust Litigation

Case No. 3:17-md-2801-JD

This document relates to:

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL**

*Benchmark Electronics, Inc., et al. v. AVX
Corporation, et al., Case No. 17-md-2801-
JD*

Plaintiffs Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc., Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics Tijuana, S. de R. L. de C. V., Benchmark Electronics De Mexico S. de R. L. de C.V. (collectively, “Benchmark”) and Defendant AVX Corporation (“AVX”), pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure hereby stipulate to the dismissal of the present action with prejudice and state as follows:

1. Benchmark and AVX seek the dismissal of this action against AVX with prejudice.

2. Benchmark and AVX agree that each party shall bear its own costs and attorneys’ fees in connection with this action.

3. This stipulation does not affect the rights or claims of Benchmark against any other defendant or alleged co-conspirator in this action.

WHEREFORE, the parties respectfully request that this Court issue an Order of Dismissal against AVX only.

/s/ Scott N. Wagner

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Telephone: 305-374-7580

rturken@bilzin.com

swagner@bilzin.com

llustrin@bilzin.com

ssakona@bilzin.com

idrescher@bilzin.com

Attorneys for Benchmark

/s/ Robert G. Kidwell

Evan S. Nadel

44 Montgomery Street, 36th Floor

San Francisco, CA 94104

Telephone: (415) 432-6000

Facsimile: (415) 432-6001

enadel@mintz.com

Bruce D. Sokler (admitted *pro hac vice*)

Robert G. Kidwell (admitted *pro hac vice*)

701 Pennsylvania Avenue NW, Suite 900

Washington, DC 2004

Telephone: (202) 434-7300

Facsimile: (202) 434-7400

Bdsokler@mintz.com

Rgkidwell@mintz.com

Attorneys for Defendant AVX Corporation

ECF ATTESTATION

I, Scott N. Wagner, an ECF User whose ID and Password are being used to file
STIPULATION AND [PROPOSED] ORDER OF DISMISSAL.

In compliance with Civil Local Rule 5-1, I hereby attest that counsel for AVX has
concurred in this filing.

DATED: August 12, 2022

By: /s/ Scott N. Wagner
Scott N. Wagner

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2
3 Dated: _____

4 UNITED STATES DISTRICT JUDGE